

105TH CONGRESS
2D SESSION

H. R. 1728

IN THE SENATE OF THE UNITED STATES

AUGUST 31, 1998

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Park System
3 New Area Studies Act”.

4 **SEC. 2. STUDY OF NEW PARK SYSTEM AREAS.**

5 Section 8 of Public Law 91–383 (16 U.S.C. 1a–5;
6 popularly known as the National Park System General
7 Authorities Act) is amended as follows:

8 (1) By inserting “GENERAL AUTHORITY.—”
9 after “(a)”.

10 (2) By striking the second through the seventh
11 sentences of subsection (a).

12 (3) By designating the last two sentences of
13 subsection (a) as subsection (e) and inserting in the
14 first of such sentences before the words “For the
15 purposes of carrying” the following: “(e) AUTHOR-
16 IZATION OF APPROPRIATIONS.—”.

17 (4) By inserting the following after subsection
18 (a):

19 “(b) STUDIES OF AREAS FOR POTENTIAL ADDI-
20 TION.—(1) At the beginning of each calendar year, along
21 with the annual budget submission, the Secretary of the
22 Interior shall submit to the Committee on Resources of
23 the House of Representatives and to the Committee on
24 Energy and Natural Resources of the United States Sen-
25 ate a list of areas recommended for study for potential
26 inclusion in the National Park System.

1 “(2) In developing the list to be submitted under this
2 subsection, the Secretary shall give consideration to those
3 areas that have the greatest potential to meet the estab-
4 lished criteria of national significance, suitability, and fea-
5 sibility. The Secretary shall give special consideration to
6 themes, sites, and resources not already adequately rep-
7 resented in the National Park System.

8 “(3) No study of the potential of an area for inclusion
9 in the National Park System may be initiated after the
10 date of enactment of this subsection, except as provided
11 by specific authorization of an Act of Congress.

12 “(4) Nothing in this Act shall limit the authority of
13 the National Park Service to conduct preliminary resource
14 assessments, gather data on potential study areas, provide
15 technical and planning assistance, prepare or process
16 nominations for administrative designations, update pre-
17 vious studies, or complete reconnaissance surveys of indi-
18 vidual areas requiring a total expenditure of less than
19 \$25,000.

20 “(5) Nothing in this section shall be construed to
21 apply to or to affect or alter the study of any river segment
22 for potential addition to the national wild and scenic rivers
23 system or to apply to or to affect or alter the study of
24 any trail for potential addition to the national trails sys-
25 tem.

1 “(c) REPORT.—(1) The Secretary of the Interior
2 shall complete the study for each area for potential inclu-
3 sion in the National Park System within 3 complete fiscal
4 years following the date of enactment of specific legislation
5 providing for the study of such area. Each study under
6 this section shall be prepared with appropriate opportunity
7 for public involvement, including at least one public meet-
8 ing in the vicinity of the area under study, and after rea-
9 sonable efforts to notify potentially affected landowners
10 and State and local governments.

11 “(2) In conducting the study, the Secretary shall con-
12 sider whether the area under study—

13 “(A) possesses nationally significant natural or
14 cultural resources and represents one of the most
15 important examples of a particular resource type in
16 the country; and

17 “(B) is a suitable and feasible addition to the
18 system.

19 “(3) Each study—

20 “(A) shall consider the following factors with
21 regard to the area being studied—

22 “(i) the rarity and integrity of the re-
23 sources;

24 “(ii) the threats to those resources;

1 “(iii) similar resources are already pro-
2 tected in the National Park System or in other
3 public or private ownership;

4 “(iv) the public use potential;

5 “(v) the interpretive and educational po-
6 tential;

7 “(vi) costs associated with acquisition, de-
8 velopment and operation;

9 “(vii) the socioeconomic impacts of any
10 designation;

11 “(viii) the level of local and general public
12 support; and

13 “(ix) whether the area is of appropriate
14 configuration to ensure long-term resource pro-
15 tection and visitor use;

16 “(B) shall consider whether direct National
17 Park Service management or alternative protection
18 by other public agencies or the private sector is ap-
19 propriate for the area;

20 “(C) shall identify what alternative or combina-
21 tion of alternatives would in the professional judg-
22 ment of the Director of the National Park Service
23 be most effective and efficient in protecting signifi-
24 cant resources and providing for public enjoyment;
25 and

1 “(D) may include any other information which
2 the Secretary deems to be relevant.

3 “(4) Each study shall be completed in compliance
4 with the National Environmental Policy Act of 1969.

5 “(5) The letter transmitting each completed study to
6 Congress shall contain a recommendation regarding the
7 Secretary’s preferred management option for the area.

8 “(d) LIST OF AREAS.—At the beginning of each cal-
9 endar year, along with the annual budget submission, the
10 Secretary of the Interior shall submit to the Committee
11 on Resources of the House of Representatives and to the
12 Committee on Energy and Natural Resources of the
13 United States Senate a list of areas which have been pre-
14 viously studied which contain primarily historical re-
15 sources, and a list of areas which have been previously
16 studied which contain primarily natural resources, in nu-
17 merical order of priority for addition to the National Park
18 System. In developing the lists, the Secretary should con-
19 sider threats to resource values, cost escalation factors,
20 and other factors listed in subsection (c) of this section.
21 The Secretary should only include on the lists areas for
22 which the supporting data is current and accurate.”.

23 (5) By adding at the end of subsection (e) (as
24 designated by paragraph (3) of this section) the fol-
25 lowing: “For carrying out subsections (b) through

1 (d) there are authorized to be appropriated
2 \$2,000,000.”.

Passed the House of Representatives August 3,
1998.

Attest:

ROBIN H. CARLE,
Clerk.